

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#34

In Re Application of

David Morrow, et al.

Group Art Unit: 3617

Serial No. 09/174,804

Examiner: M. Chambers

Filed: October 19, 1998

FAX RECEIVED

For: SCOOPED LACROSSE HEAD

AUG 26 2002

Attorney Docket No: WLI 1004 R

PETITIONS OFFICE

I hereby certify that this correspondence is being submitted via facsimile addressed to: Derrick Woods at (703) 308-6916 on:

8/26/2002

Date of Deposit


Signature

**PETITION FOR WITHDRAWAL FROM ISSUE FOR
ABANDONMENT TO PERMIT CONSIDERATION OF AN
INFORMATION DISCLOSURE STATEMENT UNDER §1.97 IN A
CONTINUING APPLICATION (37 C.F.R. §1.313(b)(5))**

Box 313b

Assistant Commissioner for Patents

Crystal Park One, Suite 520

Washington, D.C. 20231

Sir:

Applicants hereby request that the present case be withdrawn from issue in order to consider a publication.

Applicants recently realized that the attached document might not have been considered by the Examiner during prosecution. The document is not believed to be prior art, but was submitted as an attachment to a Declaration during prosecution. However, in the Statement of Reasons for Allowance, the Examiner indicated that he did not need to consider the Declaration as the claims distinguished over the prior art of record. Applicants, however, believe that the cited publication should be considered in

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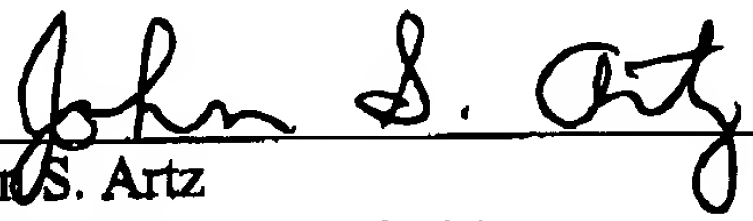
the present application and are citing it out of an abundance of caution and to fully comply with the duty of candor. Applicant therefore respectfully requests that this case be withdrawn from issue so that this publication may be considered.

A Continuing Prosecution Application (CPA) is being filed simultaneously herewith in order for the cited publication to be fully considered.

The Commissioner is authorized to charge any fees which may be required or credit overpayment to Account No. 50-0476.

Respectfully submitted,

ARTZ & ARTZ



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Date: August 26, 2002